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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

KEVIN CAIN

VERSUS

WARDEN, LA STATE PENITENTIARY

CIVIL ACTION NO. 3:05CV0814
JUDGE JAMES
MAG. JUDGE HAYES

ORDER

Petitioner, a state prisoner filing pro se, has requested that this Court permit him to proceed *in forma pauperis* on appeal pursuant to 28 U.S.C. § 1915.

Upon review of the record, the Court finds that petitioner has failed to submit a complete application to proceed *in forma pauperis* as required by § 1915(a). The relevant portion of this statute provides that a prisoner seeking to appeal a judgment of the district court without prepayment of fees or security therefore shall submit:

1. An affidavit that includes a statement of all assets he possesses; and
2. A certified copy of his prisoner account statement for the last six months, obtained from the appropriate official at the prison or correctional facility; and
3. A signed form authorizing the institution of incarceration to forward from his account to the Clerk of Court any partial filing fee assessed by the Court and to forward monthly payments thereafter of 20 percent of the prisoner's preceding month's income credited to his prison account until the full amount of the filing fee is paid.

Only after receiving the three documents listed above and determining that the prisoner is unable to pay the full filing fee will the court allow the prisoner to proceed *in forma pauperis*.

In accordance with the above, **IT IS HEREBY ORDERED** that petitioner shall submit, within twenty days of the date of this order, an affidavit in support of the motion to proceed *in forma pauperis*, an inmate account summary for the past six months of incarceration completed by the prison accounts officer, and a completed authorization form authorizing the institution of incarceration to withdraw and forward any required initial partial filing fee and monthly payment to the Clerk of court until the filing fee is paid in full. Failure to do so may result in dismissal of petitioner's appeal or other appropriate sanctions.

THUS DONE AND SIGNED in chambers at Monroe, Louisiana, this 6th day of July, 2006.


ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE